

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 51690wo	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/IB2003/002531	International filing date (day/month/year) 30-06-2003	Priority date (day/month/year)
International Patent Classification (IPC) or national classification and IPC H04Q7/38		
Applicant NOKIA CORPORATION et al		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p>
<p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>

Date of submission of the demand 03-11-2004	Date of completion of this report 03-10-2005
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer Stefan Dufva / itw Telephone No. +46 8 782 25 00

Form PCT/IPEA/409 (cover sheet) (April 2005)

Box No. I Basis of the report

1. With regard to the language, this report is based on:

the international application in the language in which it was filed

a translation of the international application into _____, which is the language of a translation furnished for the purposes of:

international search (Rules 12.3(a) and 23.1(b))

publication of the international application (Rule 12.4(a))

international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

the international application as originally filed/furnished

the description:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

the claims:

pages _____ as originally filed/furnished

pages* _____ as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

the drawings:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

the description, pages _____

the claims, Nos. _____

the drawings, sheets/figs _____

the sequence listing (*specify*): _____

any table(s) related to the sequence listing (*specify*): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages _____

the claims, Nos. _____

the drawings, sheets/figs _____

the sequence listing (*specify*): _____

any table(s) related to the sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. V **Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Claims	<u>3-17</u>	YES
	Claims	<u>1-2</u>	NO
Inventive step (IS)	Claims		YES
	Claims	<u>1-17</u>	NO
Industrial applicability (IA)	Claims	<u>1-17</u>	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

The claimed invention

The claimed invention relates to a method and device for determining and notifying users having matching profiles for accessing a multiple access online application.

The following document were cited in the International Search Report:

D1: WO 0186997 A1
 D2: WO 0126408 A1
 D3: US 6549768 B1
 D4: US 2003067908 A1

D1 is considered to represent closest prior art. D1 relates to a method and positioning system for mobile units in communication networks. D1 describes a clearinghouse unit in communication with a service provider and an operator of a communication network. The clearinghouse unit has a client database, a position database and a match database.

D1 describes that service providers may provide a whole range of services including dating services, games, entertainment services, role playing games, fan clubs and instant messaging services and so on. In other words, several users may access online applications. D1 further discloses a match database in which is stored a plurality of personal profiles. The personal profiles may include information of the user's identity, location, financial status and personal interests. The clearinghouse unit may conduct a search in the match database and when one or several matches is/are found, the concerned users are notified.

Consequently, the claimed invention as in claim 1 is not novel.

.../...

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: V

When the matches are found and the notifications have been sent, the clearinghouse grants access to the online application. Consequently, the claimed invention as in claim 2 is not novel.

On page 10 line 25 - page 11 line 26, D1 describes how the notification messages are sent to the concerned operators. The respective operators then send a notification to the concerned users, the notification indicating which matching parameters were satisfied. D1 further describes the use of activation signals in order to activate the service. According to the claimed invention, the notification message comprises data to enable the access to the service. However, as D1 describes that a list of which parameters were matched in the notification message, it is considered an obvious measure that if certain data is required to access the service, it would be the logical solution the send this data in the notification message.

Consequently, the claimed invention as in claim 3 is considered to lack an inventive step.

Claims 4-8 are considered to merely disclose measures obvious to a person skilled in the art. Consequently, the claimed invention as in claims 4-8 is considered to lack an inventive step.

As the method partly lacks novelty and partly is considered to lack an inventive step, a computer program product, a computer data signal, a network terminal, a network server and a network system employing the method is considered to lack an inventive step.

Also D2 and D3 disclose methods and systems for matching users' personal profiles in mobile communication systems in order to provide access to different online profile and location dependant services. The claimed invention is considered to lack an inventive step also with reference to D2 and D3 for the same argumentation as for D1.

D4 is considered to merely disclose the state of the art and is not commented on further.

In summary, the claimed invention as in claims 1 and 2 lacks novelty and the claimed invention as in claims 1-17 is considered to lack an inventive step. The claimed invention as in claims 1-17 is industrially applicable.